

**ENTERED**

November 01, 2017

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

NEW LIFE ADULT DAY CARE

§

VS.

§

CIVIL ACTION No. 7:17-cv-361

§

PHILADELPHIA INDEMNITY  
INSURANCE COMPANY

§

§

§

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

After considering the Unopposed Stipulation of Dismissal without Prejudice (Dkt. #9) filed in this case on behalf of Plaintiff New Life Adult Day Care Center ("Plaintiff") as to its claims and causes of action against Defendant Philadelphia Indemnity Insurance Company ("Defendant"), *at the request of the Parties* the Court is of the opinion that this action should be dismissed without prejudice. It is, therefore,

ORDERED that all claims and causes of action that Plaintiff did or could have asserted against Defendant in this action are hereby **DISMISSED WITHOUT PREJUDICE**. It is further

ORDERED that each party will bear its own costs and attorney's fees.

Date: \_\_\_\_\_

*Done 11/1/17 at McAllen, Texas.*  
*Richard H. Hinojosa*  
**RICHARD**

**RICHARD H. HINOJOSA**

**UNITED STATES DISTRICT JUDGE**